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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Robert A. Holton et al.

Art Unit 1625

Serial No. 09/978,436

Filed October 16, 2001

Confirmation No. 5339

For **RADIOSENSITIZING TAXANES AND THEIR PHARMACEUTICAL
PREPARATIONS**

Examiner Ba K. Trinh

CONSENT OF ASSIGNEES TO CORRECT INVENTORSHIP

Florida State University, the assignee of the entire right, title and interest in and to the above-identified patent application by an assignment recorded on January 21, 1997 (Reel 8301, Frame 0949), hereby consents to the correction of inventorship in such patent application from Robert A. Holton, Hossain Nadizadeh, Kurt G. Hofer and Li-Xi Yang as joint inventors to Robert A. Holton, Hossain Nadizadeh and Li-Xi Yang as joint inventors.

3-17-03
Date

Raymond E. Bye, Jr.
Raymond E. Bye, Jr.
Vice-President for Research



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For **RADIOSENSITIZING TAXANES AND THEIR PHARMACEUTICAL PREPARATIONS**

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CERTIFICATE UNDER 37 CFR 3.73(b)

Florida State University, existing by virtue of the laws of the state of Florida, certifies that it is the assignee of the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 8301, Frame 0949, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From _____

To _____

2. From _____

To _____

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patent.

3-17-03
Date

Raymond E. Bye, Jr.
Raymond E. Bye, Jr.
Vice-President for Research



APR 03 1997
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

MARCH 21, 1997

PTAS
SENNIGER, POWERS, LEAVITT & ROEDEL
EDWARD J. HEJLEK
ONE METROPOLITAN SQ., 16TH FL.
ST. LOUIS, MO 63102

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100343713A

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FSU 10209
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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/21/1997

REEL/FRAME: 5301/0949
NUMBER OF PAGES: 8

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
HOLTON, ROBERT A. ✓

DOC DATE: 11/15/1996

ASSIGNOR:
NADIZADEH, HOSSAIN ✓

DOC DATE: 12/25/1996

ASSIGNOR:
HOFER, KURT G. ✓

DOC DATE: 11/15/1996

ASSIGNOR:
YANG, LI-XI ✓

DOC DATE: 11/15/1996

ASSIGNEE:
FLORIDA STATE UNIVERSITY ✓
TALLAHASSEE, FLORIDA 32306

SERIAL NUMBER: 08710240 ✓
PATENT NUMBER:

FILING DATE: 09/13/1996 ✓
ISSUE DATE:

8301/0949 PAGE 2

LAWAN FLETCHER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

R'

01-27-1997

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

JAN 21 1997

Tab settings 000 ▼

To the Honorable Commissioner of Patents



100343713

Attached original documents or copy thereof.

1. Name of conveying party(ies):

Robert A. Holton, Hossain Nadizadeh,
Kurt G. Hofer & Li-xi Yang

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other

Execution Date: 11/15/96 & 12/25/96

2. Name and address of receiving party(ies)

Name: Florida State University

Internal Address:

Street Address:

City: Tallahassee State: FL ZIP: 32306

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

08/710,240

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Edward J. Hejlek

Internal Address: Senniger, Powers,

Leavitt & Roedel

Street Address: One Metropolitan Sq.,

16th Floor

City: St. Louis State: MO ZIP: 63102

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41).....\$ 40.00

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Edward J. Hejlek

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document

8

to be recorded with required cover sheet information to:

ASSIGNMENT

WHEREAS, We Robert A. Holton, Hossain Nadizadeh, Kurt G. Hofer and Li-xi Yang, all of Tallahassee, Florida have invented an improvement in RADIOSENSITIZING TAXANES AND THEIR PHARMACEUTICAL COMPOSITIONS (File FSU 10209) and have executed an application for a United States patent based thereon, Serial NO. 08/710,240, filed September 13, 1996;

AND, WHEREAS, Florida State University of Tallahassee, Florida, existing by virtue of the laws of the State of Florida (hereinafter referred to as "ASSIGNEE") is desirous of acquiring certain rights thereunder;

NOW, THEREFORE, for one dollar and other good and valuable consideration, receipt of all of which is hereby acknowledged, we have agreed to and do hereby sell, assign and transfer unto said ASSIGNEE the entire right, title and interest in and throughout the United States of America (including its territories and dependencies) and all countries foreign thereto in and to said invention, said United States application, any other United States applications (including divisional, continuing or reissue applications) based in whole or in part on said United States application or in whole or in part on said invention, any foreign applications based in whole or in part on any of the aforesaid United States application or in whole or in part on said invention, and any and all patents (including extensions thereof) of any country which have been or may be granted on any of the aforesaid applications or on said invention or any part thereof;

TO BE HELD AND ENJOYED by said ASSIGNEE, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by us had no sale and assignment of said interest been made;

AND We hereby authorize and request the Commissioner of Patents of the United States of America to issue any and all United States patents which may be granted upon said United States applications or any of them, or upon said invention or any part thereof, to said ASSIGNEE;

AND We hereby jointly and severally agree for ourselves and for our respective heirs, executors and administrators, to execute without further consideration any further lawful documents and any further assurances, and any divisional, continuing, reissue, or other applications for patents of any country, that may be deemed necessary by said ASSIGNEE fully to secure to said ASSIGNEE its interest as aforesaid in and to said invention or any part thereof, and in and to said several patents or any of them;

AND We hereby jointly and severally covenant for ourselves and our respective legal representatives that we have granted no right or license to make, use or sell said invention, to anyone except said ASSIGNEE, that prior to the execution of this deed our right, title and interest in said invention had not been otherwise encumbered, and that we have not executed and will not execute any instrument in conflict herewith.

IN WITNESS WHEREOF, we have hereunto set our hands.

Robert A. Holton
Robert A. Holton

Hossain Nadizadeh

Kurt G. Hofer
Kurt G. Hofer

Li-xi Yang
Li-xi Yang

ACKNOWLEDGEMENT

STATE OF Florida)
COUNTY OF Leon)

On this 15th day of November, 1996, before me, a Notary Public, personally appeared Robert A. Holton to me known to be the person described in and who executed the foregoing assignment and acknowledged that he executed same as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the date and year last above written.

Marie C. Sant
Notary Public

My Commission Expires:

May 9, 1999



IN WITNESS WHEREOF, we have hereunto set our hands.

Robert A. Holton

Hossain Nadizadeh

Hossain Nadizadeh

Kurt G. Hofer

Li-xi Yang

ACKNOWLEDGEMENT

STATE OF _____)

COUNTY OF _____)

On this ____ day of _____, 1996, before me, a Notary Public, personally appeared Robert A. Holton to me known to be the person described in and who executed the foregoing assignment and acknowledged that he executed same as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the date and year last above written.

Notary Public

My Commission Expires:

STATE OF _____)
)
COUNTY OF _____)

On this _____ day of _____, 1996, before me, a Notary Public, personally appeared Hossain Nadizadeh to me known to be the person described, in and who executed, the foregoing assignment and acknowledged that he executed same as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal and the date and year last above written.

Notary Public

My Commission Expires:

STATE OF Fla)
)
COUNTY OF Leon)

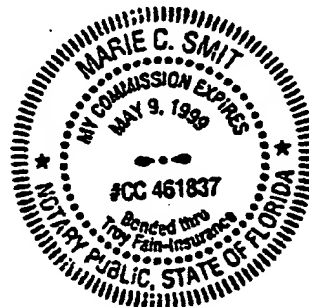
On this 15th day of November, 1996, before me, a Notary Public, personally appeared Kurt G. Hofer to me known to be the person described in and who executed the foregoing assignment and acknowledged that he executed same as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the date and year last above written.

Marie C. Smith
Notary Public

My Commission Expires:

May 9, 1999



Before me, personally appeared Hossain Nadizadeh and executed the foregoing assignment and acknowledged that he executed same as his free act and deed.

H. Layat Kar
Signature

12/25/96
Date

F. Rahmanpour
Signature

12/25/96
Date

STATE OF Fla)
COUNTY OF Leon)

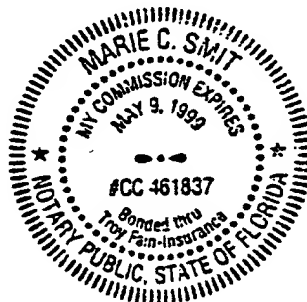
On this 15th day of November, 1996, before me, a Notary Public, personally appeared Li-xi Yang to me known to be the person described, in and who executed, the foregoing assignment and acknowledged that he executed same as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal and the date and year last above written.

Marie C. Smit
Notary Public

My Commission Expires:

May 9, 1999



EXPLANATION OF ACKNOWLEDGEMENT

By signing the declaration, you acknowledge your duty to disclose to the U.S. Patent and Trademark Office information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56. Material information includes any information concerning whether:

The subject matter of this application was known or used by others in the United States before your invention thereof; or

The subject matter of this application was patented or described in any printed publication in any country before your invention thereof or more than one year prior to the date of this application; or

The subject matter of this application was in public use, offered for sale or on sale in the United States more than one year prior to the filing date of this application; or

The subject matter of this application was first patented or made the subject of an inventor's certificate issued in any country foreign to the United States as an application filed by you or your representatives or assigns more than twelve months prior to the date of this application; or

any application for patent or inventor's certificate on the subject matter of this application has been filed by your representatives or assigns in any foreign country.

In addition, you must advise us of the closest prior art (including your own patents and publications) of which you are aware so that we may bring it to the attention of the U.S. Patent and Trademark Office.

This duty to disclose material information continues after the application is filed. During the pendency of this patent application, each person substantially involved in the preparation or prosecution of this patent application, including each inventor, has a duty to disclose to the U.S. Patent and Trademark Office all known information which would be material to patentability. Failure to meet this duty can result in an unenforceable and/or invalid patent.

Any of the above information should be brought to the attention of the U.S. Patent and Trademark Office within three months of filing of this application, or within three months of acquiring such information, whichever is later. Accordingly, please promptly advise us of any of the above information, or any other information that may be material to patentability and is either presently known to you or later becomes known to you during the pendency of this application.

Full name of third joint inventor Li-Xi Yang

Third inventor's signature  Date 03/17/03

Residence San Francisco, CA 94117-1079 Citizenship U.S.A

Post Office address St. Mary's Medical Center
450 Stanyan Street
San Francisco, CA 94117-1079